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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : VERIFIED COMPLAINT FOR  
Plaintiff, : FORFEITURE  
: 19 Civ.  
v. : ECF case  
Approximately \$1,279,943.96 formerly on deposit in :  
Citibank Account 801639798, held in the name of :  
"Impress Me Inc.," and all funds traceable thereto, :  
including accrued interest, :  
Defendant-*in-rem*. :  
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Plaintiff United States of America, by its attorney, Geoffrey S. Berman, United States Attorney for the Southern District of New York, for its verified complaint alleges, upon information and belief, as follows:

**I. JURISDICTION AND VENUE**

1. This is a civil action *in rem* commenced by the United States of America seeking the forfeiture of approximately \$1,279,943.96 in United States currency formerly on deposit in Citibank account 801639798, held in the name of "Impress Me, Inc.," and all funds traceable thereto, including accrued interest (the "Defendant-*in-rem*" or the "Defendant Currency") seized on or about February 20, 2019. The Defendant Currency is subject to

forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) as property constituting or derived from proceeds traceable to wire fraud, in violation of Title 18, United States Code, Section 1343, and bank fraud, in violation of Title 18, United States Code, Section 1344.

2. The Court has jurisdiction pursuant to Title 28, United States Code, Sections 1345 and 1355.

3. Venue is proper under Title 28, United States Code, Sections 1355(b)(1)(A) because acts or omissions giving rise to this forfeiture action occurred in the Southern District of New York, and under Title 28, United States Code, Sections 1395 because the Defendant Currency is currently found in the Southern District of New York.

4. The Defendant Currency is presently in the custody of the United States Marshal Service.

## **II. PROBABLE CAUSE FOR FORFEITURE**

5. This forfeiture action arises out of an apparent business email compromise scheme as a result of which at least one identified victim company (“Company-1”) sent more than \$2.3 million to Citibank account 801639798, held in the name of “Impress Me, Inc. (the “Impress Me Account”).

6. A Business Email Compromise (“BEC”) scheme is carried out by compromising legitimate business email accounts, and using those email accounts to convince unknowing victims to transfer funds to bank accounts under the control of scheme participants. A common variation of a BEC scam exploits the relationships between legitimate businesses (the “Victims”) and their business partners or other entities that do business with the Victims (the “Business Partners”). To effectuate the scheme, participants will compromise the email accounts associated with the Business Partners and use those accounts to communicate

with the Victims, typically asking the Victims to send funds owed to the Business Partners via a new account that is represented and appears to belong to the Business Partners.

7. In or about December 2018, an employee of Company-1 (“Employee-1”) received an email purporting to attach an invoice from one of Company-1’s known vendors (“Vendor-1”) and requesting that payment for that invoice be directed to a different bank account than had previously been provided.

8. On or about December 21, 2018, Company-1 sent \$2,338,672.05 via wire to the Impress Me Account with the understanding that it was paying a valid invoice from Vendor-1. Shortly thereafter, Company-1 was contacted by Vendor-1 and informed that Vendor-1 had not received payment for the invoice. Company-1 concluded that the email purporting to be from Vendor-1 was in fact from someone else seeking to defraud Company-1.

9. The Impress Me Account was opened in May 2018. Prior to the December 21, 2018 wire from Company-1, the available balance in the Impress Me Account never exceeded \$10,000, and the available balance on December 20, 2018 was \$545.06.

10. From on or about December 24, 2018 until December 26, 2018, approximately \$1.1 million was withdrawn from the Impress Me Account by means of several wire transfers.

11. On or about February 20, 2019, the Government seized all funds held in the Impress Me Account, *i.e.*, the Defendant Currency, which had then accrued to the amount of \$1,279,943.96.

### **III. CLAIM FOR FORFEITURE**

12. Incorporated herein are the allegations contained in paragraphs One through Eleven of this Complaint.

13. Title 18, United States Code, Section 981(a)(1)(C), subjects to civil forfeiture: [a]ny property, real or personal, which constitutes or is derived from proceeds traceable to a violation of section . . . 1344 of this title or any offense constituting “specified unlawful activity” (as defined in section 1956(c)(7) of this title) [including violation of 18 U.S.C. § 1343].

14. With respect to fungible property, including cash and funds deposited in a financial institution, 18 U.S.C. § 984 provides, in relevant part, that:

(a)(1) In any forfeiture action in rem in which the subject property is cash, monetary instruments in bearer form, funds deposited in an account in a financial institution . . . , or precious metals:

- (A) it shall not be necessary for the Government to identify the specific property involved in the offense that is the basis for the forfeiture; and
- (B) it shall not be a defense that the property involved in such an offense has been removed and replaced by identical property.

(2) Except as provided in subsection (b), any identical property found in the same place or account as the property involved in the offense that is the basis for the forfeiture shall be subject to forfeiture under this section.

(b) No action pursuant to this section to forfeit property not traceable directly to the offense that is the basis for the forfeiture may be commenced more than 1 year from the date of the offense.

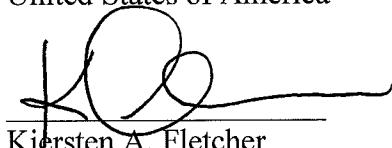
WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the Defendant Currency and that all persons having an interest in the Defendant Currency be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the Defendant Currency to the United States of America for disposition according to law, and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York

May 17, 2019

GEOFFREY S. BERMAN  
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Southern District of New York  
Attorney for the Plaintiff  
United States of America

By:



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VERIFICATION

STATE OF NEW YORK )  
COUNTY OF NEW YORK :  
SOUTHERN DISTRICT OF NEW YORK )

LAURA RODIA, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI") and as such has responsibility for the within action; that she has read the foregoing complaint and knows the contents thereof, and that the same is true to the best of her own knowledge, information and belief.

The sources of deponent's information and the ground of her belief are conversations with law enforcement officers and others, official records and files of the FBI and the United States Government, and information obtained directly or indirectly by deponent during an investigation of alleged violations of Title 18 of the United States Code.

  
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Laura Rodia  
Special Agent  
Federal Bureau of Investigation

Sworn to before me this  
17th day of May, 2019

  
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NOTARY PUBLIC

NERLANDE PIERRE  
Notary Public, State of New York  
Qualified in Queens County  
No. 01PI6184310  
My Commission Expires April 7, 2020